

Notice of Allowability

Application No.

10/718,139

Applicant(s)

ZARN ET AL

Examiner

Lars A Olson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment received from the applicant on November 22, 2004.
2. ☒ The allowed claim(s) is/are 8-10,12-18,20 and 21.
3. ☒ The drawings filed on 20 November 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

Reasons for Allowance

1. An amendment was received from the applicant on November 22, 2004.
2. Claims 1-7, 11, 19 and 22-26 have been canceled.
3. Claims 8-10, 12-18, 20 and 21 are allowed.
4. The following is an examiner's statement of reasons for allowance. The boat with a gunwale extrusion as claimed is not shown or suggested in the prior art because of the use of a boat that includes a weatherboard that is connected to an extrusion, and a freeboard that is connected to said extrusion, where said extrusion defines a groove that extends along a substantial length of a side of said boat, an upwardly facing channel is defined by said extrusion and configured to receive a first bumper, and a laterally facing channel is defined by said extrusion and configured to receive a second bumper. The prior art also does not show or suggest the use of a boat with a cover fastening system, said boat being comprised of a body with first and second sides, a groove defined along said first side, a plurality of expanding anchors that are positionable within said groove, and a plurality of fastening members each having a locking portion and a mounting portion, where said first side further includes a freeboard that extends in a vertical direction, a weatherboard that extends in a horizontal direction, and a gunwale member that extends along said first side, said gunwale member defining a first receiving portion to accept one end of said freeboard, a second receiving portion to accept one end of said weatherboard, and a groove that receives said plurality of anchors.

5. The prior art as disclosed by Tweet (US 5,743,204) shows the use of a boat with a gunwale extrusion, a weatherboard that is connected to said extrusion, a freeboard that is connected to said extrusion, and a groove in said extrusion that extends along a side of said boat. Taylor (US 2,732,877) discloses a boat with a cover fastening system that includes a boat hull with first and second sides, and a plurality of fastening members that are positioned on the side of said boat to engage corresponding mounting structure in the form of snap fasteners of a boat cover. Vadney (US 5,839,388) discloses a cover fastening system for a boat that is comprised of a groove that is defined along a side of said boat, a plurality of expandable anchors that are positionable within any part of said groove, and a plurality of fastening members, where each fastening member is further comprised of a threaded portion and a snap portion, said threaded portion is screwed within a respective anchor to expand and fix said anchor at a desired position along said groove, and said snap portion is adapted to engage a corresponding snap of a boat top. However, none of the prior art cited shows or suggests the use of a boat with a gunwale extrusion, said boat including a weatherboard that is connected to an extrusion, and a freeboard that is connected to said extrusion, where said extrusion defines a groove that extends along a substantial length of a side of said boat, an upwardly facing channel is defined by said extrusion and configured to receive a first bumper, and a laterally facing channel is defined by said extrusion and configured to receive a second bumper. The prior art also does not show or suggest the use of a boat with a cover fastening system, said boat being comprised of a body with first and second sides, a groove defined along said first side, a

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plurality of expanding anchors that are positionable within said groove, and a plurality of fastening members each having a locking portion and a mounting portion, where said first side further includes a freeboard that extends in a vertical direction, a weatherboard that extends in a horizontal direction, and a gunwale member that extends along said first side, said gunwale member defining a first receiving portion to accept one end of said freeboard, a second receiving portion to accept one end of said weatherboard, and a groove that receives said plurality of anchors.

Conclusion

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

7. Any inquiry concerning this communication from the examiner should be directed to Exr. Lars Olson whose telephone number is (703) 308-9807.

lo

January 5, 2005

LARSA OLSON
PATENT EXAMINER



1/5/05